(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

WRIT PETITION No. 3465 /2005

PETITIONER

Tobias Xaxa
aged about 32 years
S/o Shri Willam Xaxa,
R/o Near City Kotwali,
Rajnandgaon (C.G.)

VERSUS

RESPONDENTS

1. The State of Chhattisgarh,
   Through Secretary,
   Ministry of Home, Mantralaya
   D.K.S. Bhawan, Raipur
2. Under Secretary, Minsitry of Home
   Depratmet, Raipur
3. Director General of Police
   Raipur
4. Superintendent of Police
   Rajnandgaon (C.G.)
5. Superintendent of Police
   Narayanpur Distt. Kanker (C.G.)

WRIT PETITION UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA

(20)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 3465/2005 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	08-08-2005 W.P.No.3465/2005 Heard Shri Parag Kotecha, counsel for the petitioner and Shri Pankaj Shrivastava, Panel Lawyer for the State on advance copy. The submission of learned counsel for the petitioner is that the petitioner was working in Rajnandgaon District since 2001. He further submits that the petitioner has already completed about four years in the said District. He also submits that now the petitioner has been transferred from Rajnandgaon to Narayanpur. Shri Koteacha submits that Rajnandgaon as well as Nayaranpur both the places have been declared as naxalite affected areas. He also submits that according to the policy of the State Government, a Sub Inspector or Inspector, on his completion of two years successful tenure in the naxalite affected area will be given posting according to his own choice among one of the three ranges proposed by him. Learned counsel for the petitioner submits that in view of this policy, this order is not in accordance with law.	

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	I am not inclined to accept the contention made by learned counsel for the petitioner. I have gone through the policy filed by the petitioner as Annexure - P/3. This policy only gives a provision that the concerned Sub Inspector or the Inspector, who has completed a successful tenure of two years in the naxalite affected area shall be given posting at the place of his choice among the three ranges proposed by him. This does not mean that he cannot be transferred from one naxalite affected area to other naxalite affected area prior to the giving of posting according to his choice. I am ~~also~~ not inclined to admit this petition. This petition is dismissed. However, looking into the facts and circumstances of the case, a liberty is granted to the petitioner to file a detailed representation before the concerned authority for taking a decision as per clause - 7 of the aforesaid policy because according to him he has already completed the period of two years in the naxalite affected area. If such a representation is filed, the competent authority shall dispose of the same in accordance with the policy framed by them.	

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.NO. 3465/2005 **सन्** **200**

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	With the aforesaid observations and directions the petition stands finally disposed of at this stage. Consequently, M.(W.)P. No. 2932/2005 and I.A. No. 6575/2005 also stand disposed of. Sd/- **Sunil Kumar Sinha** **Judge**	

(पीछे देखिये)